

RTR

BURTON & DAVIS, LLP

ATTORNEYS AT LAW

U.S. DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

THE LOYALTY BUILDING
611 NORTH BROADWAY, SUITE 335
MILWAUKEE, WISCONSIN 53202

MICHAEL R. BURTON*
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FILED
05 FEB 22 P2:01
GERARD B. HODOLSKY
CLERK

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February 22, 2005

VIA HAND DELIVERY

Clerk of Courts
U.S. District Court for
the Eastern District of Wisconsin
Federal Courthouse
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Dear Clerk:

RE: *Albert Patterson d/b/a World Wrestling Assoc.,
Superstars of Wrestling, Inc. v. World Wrestling
Entertainment, Inc. and Good Humor Corporation,
d/b/a Good Humor Breyers Ice Cream.*
Case No. 03-C-0374

I present for filing an original and one copy of Defendants' Second Amended Answer and Counterclaim, with a Certificate of Service, along with two additional copies. Please file this pleading, file-stamp the extra copies, and return them to the waiting messenger.

I also hereby submit an original and one copy of a Protective Order, with attached Exhibit A, "Confidentiality Agreement." I have not included additional copies of the Protective Order, as it should not be filed until the Court has executed it, so no file-stamped copies should be returned. Please present the Protective Order to the Court for execution. By copy of this letter, mailed on the same day as the date hereof, I am providing a copy of the Protective Order to plaintiff's counsel.

The referenced pleadings are being filed and submitted in conformity with the Court's February 8, 2005 Decision and Order. The Second Amended Counterclaim has been amended by removing the phrase "*inter alia*" from paragraph 48 of the counterclaim. In order to honor the spirit, as well as the letter, of the Court's Order, defendants have also removed the phrase "among other things" from each of the sub-paragraphs within paragraph 48 (that is, a - g). The only other modification made to the Second Amended Counterclaim was to renumber the counts, which, as the Court pointed out in its Decision and Order, had previously skipped Count Three.

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The Protective Order has been modified, consistent with the Court's February 8, 2005 Order, to reflect the fact that it is not a stipulated agreement, but rather an Order of the Court. The substantive terms of the confidentiality obligations imposed by the Order have not been modified.

Your attention to this matter is greatly appreciated.

Sincerely,

Burton & Davis, LLP

A handwritten signature in black ink, appearing to read 'Shepard A. Davis', with a long horizontal flourish extending to the right.

Shepard A. Davis

Encs.

cc Atty. Charles Drake Boutwell (via mail; w/ enc.)
 Atty. Curtis B. Krasik (via mail; w/ enc.)